

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
MICHAEL DALEWITZ,

Plaintiff,

-against-

JUSLAW LLC, JUSGLOBAL, LLC
and BEATRICE O'BRIEN,

Defendants.

ANALISA TORRES, District Judge:

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24 Civ. 457 (AT) (SDA)

**ORDER ADOPTING
REPORT AND
RECOMMENDATION**

Plaintiff, Michael Dalewitz, filed this action on January 22, 2024. ECF No. 1. By letter dated September 26, 2024, Dalewitz informed the Court that the parties had reached a settlement in principle. ECF No. 36. On November 1, 2024, Dalewitz moved for specific performance of the parties' settlement agreement. ECF No. 42. The Court referred the motion to the Honorable Stewart D. Aaron for a report and recommendation ("R&R"). ECF No. 40.

After careful consideration, Judge Aaron issued an R&R recommending that Dalewitz's motion be granted. *See generally* R&R, ECF No. 52. Although Judge Aaron's R&R notified the parties of their right to object to the R&R, no objections were filed and the time to do so has now passed. *See* R&R at 17–18; Fed. R. Civ. P. 72(b)(2). Because no objection was made, the Court reviews the R&R for clear error. *Santiago v. Colvin*, No. 12 Civ. 7052, 2014 WL 1092967, at *1 (S.D.N.Y. Mar. 17, 2014). The Court finds no clear error in Judge Aaron's thorough and well-reasoned R&R.

Accordingly, the Court ADOPTS Judge Aaron's R&R in its entirety. The above-entitled action is hereby dismissed and discontinued without costs, and without prejudice to the right to reopen the action within sixty days of the date of this Order if the settlement is not consummated. Any application to reopen must be filed within sixty days of this Order; any application to reopen filed thereafter may be denied solely on that basis. Further, if the parties wish for the Court to retain jurisdiction for the purposes of enforcing their settlement agreement, they must submit the settlement agreement to the Court within the same sixty-day period to be so-ordered by the Court. Per Rule IV(C) of the Court's Individual Practices in Civil Cases, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

All other pending motions are moot. All conferences are vacated. The Clerk of Court is respectfully directed to close the case.

SO ORDERED.

Dated: December 28, 2024
New York, New York



ANALISA TORRES
United States District Judge